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OFFICE OF PETITIONS

In re Application of
Elliott
Application No. 09/515,928
Filed: February 29, 2000
Attorney Docket No. 24673A
For: SHINGLE FOR OPTICALLY SIMULATING
A SLATE ROOF

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on July 22, 2005 to revive the above-identified application.

The above-identified application became abandoned for failure to properly reply to the September 16, 2004 final Office action which set an extendable three (3) month period for reply. An amendment after final, timely filed January 24, 2005 (certificate of mailing date January 18, 2005) with a one month extension of time, failed to place this application in *prima facie* condition for allowance, as was explained in the February 22, 2005 Advisory action. Therefore, this application became abandoned on January 17, 2005. A Notice of Abandonment was mailed on June 28, 2005.

Applicant has submitted a RCE, the required fee, and a request for previously submitted amendments to be the required submission as the reply to the September 16, 2004 final Office action, an acceptable statement of the unintentional nature of the delay in responding to the September 16, 2004 final Office action, and the petition fee.¹

The petition is **GRANTED**.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs slightly from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is

¹ Pursuant to petitioner's authorization, deposit account no. 50-0568 will be charged a \$790.00 RCE fee. The Rule 137(b) petition fee was previously charged on August 4, 2005.

being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

After the mailing of this decision the application will be forwarded to Technology Center 3600's technical support staff for processing the RCE filed on July 22, 2005.

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

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